

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF NORFOLK

DALE BURTON GHOLSON,

Plaintiff,

v.

AT LAW NO.: CL 12-1294

IBRAHIN FLORIN,

Serve: Richard D. Holcom, Commissioner of the
Virginia Department of Motor Vehicles,
as statutory agent pursuant to Va. Code Ann. §8.01-3-8 (2011)

and

FLORES BOYS TRUCK LINES, L.L.C.

Serve: Janet Polarek, Secretary of the Commonwealth,
as statutory agent pursuant to Va. Code Ann. §8.01-3-8 (2011)

Defendants.

COMPLAINT

COMES NOW the Plaintiff, Dale Burton Gholson, by counsel, and files this Complaint against the Defendants, Ibrahim Florin and Flores Boys Truck Lines, L.L.C., jointly and severally, for damages in the sum of ONE MILLION DOLLARS AND 00/100 (\$1,000,000.00), together with the costs of this action and pre-judgment interest from October 4, 2010, for the following, to wit:

1. The Defendant, Flores Boys Truck Lines, L.L.C. (hereafter "Flores Boys"), is a motor carrier engaged in the business of transporting, distributing, and/or delivering goods and products within the Commonwealth of Virginia.
2. At all times material herein Defendant, Ibrahim Florin (hereafter "Florin"), was operating a 2005 International tractor trailer, which was owned and/or operated by Flores Boys.

3. At all times material herein, Florin was employed by Flores Boys as a truck driver and was acting within the course of and scope of such employment with Flores Boys.

4. On or about October 4, 2010, Florin was driving Flores Boys' tractor trailer truck south on Lankford Highway (Route 13) approaching its intersection with State Route 626 in Accomack County, Virginia.

5. A Shore Stop Convenience Store is located generally at the southwest corner of the intersection of Lankford Highway and State Route 626 in Accomack County, Virginia.

6. At all times material herein, the Plaintiff Dale Burton Gholson (hereafter "Gholson" or "Plaintiff"), was working inside the Shore Stop Convenience Store.

7. As Florin was approaching the intersection of Lankford Highway and State Route 626 driving Flores Boys' tractor trailer, another vehicle in front of his truck had stopped and/or slowed down to make a right turn into the Shore Stop Convenience Store.

8. At said time and place, Florin negligently failed to appreciate that traffic in front of his tractor trailer was slowed and/or stopped, and Florin ran his tractor trailer off the westside of Lankford Highway, crashing his tractor trailer through the front of the Shore Stop Convenience Store.

9. At said time and place, the Defendants had a duty to drive and/or operate their tractor trailer with reasonable care under the circumstances.

10. Without limitation, Florin was guilty of the following acts of negligence and/or recklessness at the time of the collision described above:

- a. Failure to keep a proper lookout;
- b. Failure to keep his tractor trailer truck under control;

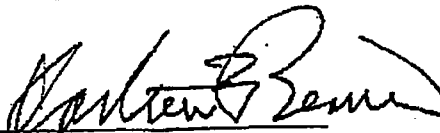
- c. Failure to apply his brakes in time to avoid a collision;
- d. Exceeding the safe speed for the conditions on the highway at the time of the collision;
- e. Failure to properly inspect the brakes of the tractor and/or trailer prior to the trip in question;
- f. Operating the tractor trailer in such a reckless manner that his vehicle was caused to crash through the front of the Shore Stop Convenience Store, causing serious injuries to the Plaintiff.

11. Flores Boys are vicariously liable for the negligence of its employees, including Florin, acting within the course and scope of their employment.

12. As a direct and proximate result of the negligence of Defendants, as described above, Gholson was seriously and permanently injured; she was caused to suffer and will in the future be caused to suffer great physical pain and mental anguish; she was caused to expend and will in the future be caused to expend large sums of money in an endeavor to be healed and cured of her serious and permanent injuries; she was caused to lose earnings from her employment and has suffered a permanent diminution of her future earning capacity; and she was caused to be unable to and will in the future be caused to be unable to attend to her necessary and lawful affairs.

WHEREFORE the Plaintiff, Dale Burton Gholson, by counsel, hereby demands judgment against the Defendants, Ibrahim Florin and Flores Boys Truck Lines, L.L.C., jointly and severally, for damages in the sum of ONE MILLION DOLLARS AND 00/100 (\$1,000,000.00), together with the costs of this action and pre-judgment interest from October 4, 2010; and the PLAINTIFF **HEREBY DEMANDS TRIAL BY JURY.**

DALE BURTON GHOLSON

By: 
Of Counsel

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